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6 Attorneys for
DEMITRUS LEE TELLIS
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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA
11

12 UNITED STATES OF AMERICA,
13 Plaintiff,

14 vs.

15 DEMITRUS LEE TELLIS,
16 Defendant.

2:12-cr-176-LDG-PAL

**UNOPPOSED MOTION TO WITHDRAW
THE MOTION TO SUPPRESS
EVIDENCE BASED ON FOURTH
AMENDMENT VIOLATIONS**

17 COMES NOW the defendant, DEMITRUS LEE TELLIS, by and through his
18 counsel of record, BREND A WEKSLER, Assistant Federal Public Defender, who files this Motion
19 to Withdraw The Motion to Suppress Evidence Based on Fourth Amendment Violations
20 [Evidentiary Hearing Requested] (#30). This motion is based upon the attached Memorandum of
21 Points and Authorities and all of the papers and pleadings on file herein.

22 DATED this 6th day of February, 2013.
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24 RENE L. VALLADARES
25 Federal Public Defender

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27 By /s/ Brenda Weksler
BREND A WEKSLER,
28 Assistant Federal Public Defender

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

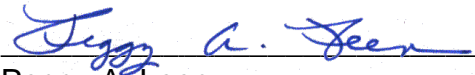
2 **FACTUAL BACKGROUND**

3 On December 3, 2012, a Motion to Suppress Evidence for Fourth Amendment
4 Violation was filed in the instant case. A Superseding Information (#44) and Plea Agreement (#46)
5 were filed during the Change of Plea Hearing held on February 5, 2013, rendering the motion and
6 evidentiary hearing unnecessary. Mr. Tellis, through his attorney of record, BRENDA WEKSLER,
7 hereby respectfully requests that this court withdraw his Motion to Suppress Evidence for Fourth
8 Amendment Violation.

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10 Respectfully submitted,

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12 By: /s/ Brenda Weksler
13 **BRENDA WEKSLER**
14 Assistant Federal Public Defender

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16 IT IS SO ORDERED this 7th day
17 of February, 2013.

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20 Peggy A. Leen
21 United States Magistrate Judge
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that I am an employee of the Law offices of the Federal Public Defender for the District of Nevada and am a person of such age and discretion as to be competent to serve papers.

That on February 6, 2013, I served an electronic copy of the above and foregoing **UNOPPOSED MOTION TO WITHDRAW THE MOTION TO SUPPRESS EVIDENCE** **BASED ON FOURTH AMENDMENT VIOLATIONS** by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN
United States Attorney
PHILLIP N. SMITH, JR.
Assistant United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, Nevada 89101

/s/ Nancy Vasquez
Senior Legal Assistant to,
BRENDA WEKSLER
Assistant Federal Public Defender